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11 United States of America

12
13 IN THE UNITED STATES DISTRICT COURT
14 EASTERN DISTRICT OF CALIFORNIA

15 UNITED STATES OF AMERICA,
16 Plaintiff,
17 v.
18 JASON D. HICKS,
19 Defendant.

CASE NO. 5:21-PO-372-SAB
STIPULATION TO SET CHANGE OF PLEA AND
SENTENCING HEARING, AND VACATE TRIAL
DATE; ORDER
DATE: March 1, 2022
TIME: 9:00 a.m.
COURT: Hon. Stanley A. Boone

20
21 STIPULATION

22 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
23 through defendant's counsel of record, hereby stipulate as follows:

24 1. By previous order, this matter was set for trial on March 1, 2022.

25 2. The parties have reached a plea deal. Defendant intends to plead guilty to Citation
26 #E1037510, charging him with Operating a Motor Vehicle when Blood or Breath is 0.08 Grams or More
27 of Alcohol, at Death Valley National Park, in violation of 36 C.F.R. 4.23(a)(2). The government will
28 recommend the Court impose a \$1200 fine (plus processing fee and special assessment), 1 year of
unsupervised court probation, and completion of a 1st time DUI offender program.

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1 3. The parties request that the March 1, 2022 bench trial be vacated and converted to a
2 change of plea and sentencing hearing at that same date and time.

3 IT IS SO STIPULATED.

4

5 Dated: February 1, 2022

6 PHILLIP A. TALBERT
7 United States Attorney

8 _____
9 /s/ JEFFREY A. SPIVAK
10 JEFFREY A. SPIVAK
11 Assistant United States Attorney

12 Dated: February 1, 2022

13 _____
14 /s/ Richard Middlebrook
15 Richard Middlebrook
16 Middlebrook & Associates
17 Counsel for Defendant Jason D.
18 Hicks

19 **ORDER**

20 IT IS SO ORDERED.

21 Dated: February 10, 2022

22 _____
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24 UNITED STATES MAGISTRATE JUDGE